

**Notice of Allowability**

Application No.

10/807,629

Applicant(s)

WAKAZONO, TSUYOSHI

Examiner

Justin P. Misleh

Art Unit

2622

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed November 13, 2007.
2. ☒ The allowed claim(s) is/are 2 - 4 and 7 - 9 (now respectively renumbered 1, 4, 2, 3, 5, and 6).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 11/13/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. **Claims 2 – 4 and 7 – 9 (now respectively renumbered 1, 4, 2, 3, 5, and 6) are allowed.**
2. The following is an Examiner's statement of reasons for allowance:

While the closest prior art teaches a drive control apparatus for an optical apparatus including a first focus lens unit which is manually operated, a second focus lens unit which is driven under auto focusing control and a magnification-varying lens unit, and a controller, wherein when switching from a auto-focus mode to a non-auto-focus mode, the controller carries out control so as to drive the magnification-varying lens unit;

The closest prior art does not teach or fairly suggest wherein, when switching from a auto-focus mode to a non-auto-focus mode, the controller carries out control so as to drive forcibly the magnification-varying lens unit to a wide-angle end or telephoto end, and wherein, in a state that the magnification-varying lens unit is driven to the wide-angle end or telephoto end, the first focus lens unit is manually operated to allow manual focusing control.

3. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Cited Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure for the following reasons:

- **US 5,638,217 & US 6,661,585 B2** discloses a drive control apparatus including a focus lens and zoom lens, wherein the positions of the focusing lens is memorized in a zooming operation so that the focusing lens is controlled by the memorized data, in order to avoid generation of defocus.
- **US 6,853,501 B2** discloses a drive control apparatus including front and rear focusing lenses and moves the rear focusing lens to a predetermined position when switching from an auto-focus control to a manual focus control.
- **US 5,061,954** discloses a drive control apparatus that performs a one-shot auto-focus operation immediately when switching from auto-focus control to a manual focus control.
- **US 5,802,405** discloses a drive control apparatus that sets lenses of the optical system to predetermined positions at the time of startup to prepare for focusing.
- **JP 05-014793 A** discloses a drive control apparatus that when performing auto-focus control provides instant manual focus control when a zoom switch is operated.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lin Ye can be reached on 571.272.7372. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Justin P. Misleh/  
Examiner, GAU 2622  
January 22, 2008